

FILEDCLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) 2:10-CR-244-PMP (RJJ)
EUCARIO MARTINEZ-BOTELLO,)
Defendant.)

FINAL ORDER OF FORFEITURE

On September 14, 2010, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture (Docket #36) pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c); Title 21, United States Code, Section 853(a)(2); Title 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c), based upon the plea of guilty by defendant EUCARIO MARTINEZ-BOTELLO to criminal offense, forfeiting specific property alleged in the Superseding Information (#31) and shown by the United States to have a requisite nexus to the offense to which defendant EUCARIO MARTINEZ-BOTELLO pled guilty.

This Court finds the United States of America published the notice of the forfeiture in accordance with the law on October 28, 2010, November 4, 2010, and November 11, 2010, in the Las Vegas Review-Journal/Sun, of their right to petition the Court. #45.

This Court finds no petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

This Court finds no petitions are pending with regard to the assets named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the property hereinafter described is condemned, forfeited, and vested in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c); Title 21, United States Code, Section 853(a)(2); Title 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to law:

- a) a Ruger, model Security-Six, .357 caliber, six-shot revolver with black grips, bearing serial number 155-12881; and
- b) any and all ammunition (“property”).

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
14 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as
15 any income derived as a result of the United States of America's management of any property forfeited
16 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

17 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
18 certified copies to the United States Attorney's Office.

DATED this 10^a day of Jan, 2011.

~~UNITED STATES DISTRICT JUDGE~~